

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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VERDE ENVIRONMENTAL TECHNOLOGIES, INC.,

Plaintiff,

v.

Case No. 18-cv-423-pp

C2R GLOBAL MANUFACTURING, INC.,

Defendant.

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**ORDER IMPOSING STAY ON SUGGESTION OF BANKRUPTCY AND  
ADMINISTRATIVELY CLOSING CASE**

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On March 18, 2018, the plaintiff filed this complaint against the defendant, C2R Global Manufacturing Inc., alleging two counts of patent infringement, one count of false advertising under the Lanham Act, 15 U.S.C. §1125(a) and one count of false advertising under Wisconsin Statute 100.18. Dkt. No. 1. On May 1, 2018, the defendant filed an answer and a counterclaim, asking for declaratory judgments of non-infringement and of invalidity for both patents at issue. Dkt. No. 8. The court held a Rule 16 scheduling conference on July 5, 2018, dkt. no. 13, and the case proceeded to discovery.

On November 5, 2018, however, the defendant filed a suggestion of bankruptcy. Dkt. No. 18. The suggestion notice informed the court that the defendant had filed a voluntary Chapter 11 petition on October 29, 2018, Bankruptcy Case No. 18-30182. *Id.* The defendant attached the petition to the

suggestion of bankruptcy notice. Dkt. No. 18-1. The plaintiff has not responded.

Under §362(a) of the Bankruptcy Code, the filing of a petition operates as a “stay” of, among other things, “the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title . . . .” The defendant’s Chapter 11 petition operates as a stay on this litigation.

The court **ORDERS** that this case is **STAYED** until such time as the parties notify the court that the Chapter 11 bankruptcy proceeding has concluded. The court **ORDERS** that the clerk’s office shall **ADMINISTRATIVELY CLOSE** this case until that time. The court **ORDERS** that once the Chapter 11 has concluded, the parties may file a motion to reopen the district court case, and the court will grant that motion upon confirming that the bankruptcy proceeding has concluded. The date that the plaintiff filed the complaint will be the operative date for any limitations purposes, and will not be affected by this administrative closing.

Dated in Milwaukee, Wisconsin this 11th day of December, 2018.

**BY THE COURT:**



**HON. PAMELA PEPPER**  
**United States District Judge**